

Bay Delta Conservation Plan (BDCP)
Steering Committee Meeting

April 18, 2008, 9:00 a.m. to 11:30 a.m.
Resources Agency Bldg., Room 1131

Draft Meeting Notes

Associated documents/handouts:

- Draft 2/08/08 Steering Committee (SC) meeting notes
- BDCP Development and Process Schedule
- Bay Delta Conservation Plan Workgroups and Technical Teams: Suggested Working Protocols
- The California Bay Delta Conservation Plan: Introduction
- Draft Suggested Responses to the Independent Science Advisor Recommendations from the Analytical Tools Technical Team
- List of potential HOTT team members

Action Items and Key Decisions

- SAIC will compile all comments from Steering Committee members on the Existing Ecological Conditions chapter and Covered Species Accounts and will include a column indicating the disposition of each comment.

Updates

- A draft calendar was prepared and presented to the group (see Associated documents/handouts). The calendar reflects the relationship between the BDCP and Delta Vision schedules. The "Dorian" memo, which is a comprehensive schedule of Delta-related programs, will be distributed at the next Steering Committee meeting.
- Karen Scarborough reporting: MWD and Westlands will take the lead in planning a second Delta tour. Potential sites are being investigated, and an itinerary is being developed. In addition, an independent documentary film maker, who is developing a documentary film about the Bay Delta region, has made a request to accompany the group on the tour. The tour will be scheduled for May or June. Karen requested that the film maker attend a Steering Committee meeting in May to meet the group in advance of the tour.
- Karen Scarborough presented the BDCP Development and Process Schedule and noted that the BDCP is being developed in a timely manner.
- John McCamman reporting: the Governor has appointed Don Koch as the Director of Fish and Game.
- Karen Scarborough and Frank Michny reporting: Frank is retiring from USBR effective May 2 and that this will be his last Steering Committee meeting. The SC thanked Frank for all of his work on the BDCP.
- Anthony Saracino reporting: TNC reported no new information regarding the progress of PPIC's development of a supplemental report.
- Ted Meyers reporting: Judge Wanger has concluded that the NMFS' 2004 Biological Opinion was incomplete. He has called for a meeting of the parties for April 25, 2008. Issues remaining to

the considered include procedural steps, scientific questions, including those relating to climate change. No decision has been made by the court regarding remand or other dispositions.

- Jerry Johns: Remedies under this recent Wanger decision may not result in substantial additional impact on water supplies beyond those from the earlier Wanger decision.
- Frank Michny: The Wanger decision regarding the NMFS biological opinion differs from smelt ruling in that most issues are procedural, not biological. The FWS is required to complete by September 15, 2008 the OCAP Biological Opinion on smelt.
- Karen Scarborough: We need to make sure that BDCP schedule keeps up with Delta Vision schedule where our efforts are on similar topics.
- John Kirlin: Gave an update on Delta Vision and passed out a contextual statement. Delta Vision coordinates with BDCP. Both were started in May 2006. He summarized DVs schedule indicated they were still on schedule to deliver report to the Governor and legislature in December 2008. Asking for information from different departments, 4 working groups, and consultants. Working groups will finish up their process in May 2008. First draft of strategic plan due in June 2008. The June Delta Vision meeting will include a recommendation on conveyance (CALFED report and PPIC report). Task Force will be recommending dual conveyance.

DWR Delta Vision Presentation

Paul Marshall: Delivered DWR Presentation produced at the request of the Delta Vision Task Force

- Delta Vision will get a short summary of this presentation
- Looking for comments as to which slides are particularly helpful
- Karen Scarborough requested that the term “options” be changed to “scenarios” so as not to be confused with the Options in the Options Evaluation document
- Major variables in framing dual conveyance scenarios and their range of costs (2007 dollars)
- Through Delta costs does not include cost of land purchase and mitigation but includes cost for improvements to withstand a catastrophic earthquake
- Request made for addition of lower cost options for Through Delta scenarios
- Two basic dual conveyance scenarios in Delta
- With Eastern alignment 20 ft pumping lift required to lift water into canal
 - Includes use of setbacks, barriers and siphons
- Western alignment would require 45-90 foot lift
 - Includes use of tunnels, cut and fill method construction (better for anticipated flooding or sea level rises), rather than incised canal
- Based on current sea level, sea rise not factor in
- Request made for large range of costs for scenarios be presented
- Use of isolated conveyance takes significantly less water from Delta
- Through Delta uses much more water
- Use of through delta conveyance and isolated conveyance significantly increases chance of moving higher amounts of water then currently under Wanger
- Suggested that both biological and water benefits be included in Delta Vision presentation

Existing Ecological Conditions Chapter

End of business today is the deadline for submitting questions and comments on the Chapter and associated Appendices. Comments have been received from Kern County, DWR, FD, FWS, CCWD and others. TNC will have comments in today. Anthony Saracino asked how he can be assured comments will be inserted. A disposition column will be provided show how each comment is handled. DFG comments were mostly editorial. Gary Bobker will submit comments. Fish agencies asked when terrestrial and riparian species will be addressed. Discussion about which covered species to be included. Karen Scarborough indicated they will be dealt with at the Science Liaisons meeting report next week. Other species will be looked at and a list will be sent out to independent science advisors. Ann Hayden recommended the recent Wanger decision be included in the Existing Conditions chapter discussion. Question raised about the geographic scope of the document. For example, what are the effects of actions on other natural communities outside the aquatic habitat. Richard Roos Collins requested that the document be compiled into a single PDF file for ease of printing.

- All comments received from SC members on the Existing Ecological Conditions chapter will be compiled into a single table including a column designating the disposition.

Conveyance Working Group

Ann Hayden (co-chair) presenting. Discussed first Habitat and Operations Technical Team (HOTT) meeting held this week. The team is working to establish process and flow scenarios. Working on north Delta first as well as individual projects that the Habitat Restoration team has identified. Fish Facilities Technical Team is working to schedule their first meeting next week. They will focus on a new north Delta intake and screening facility, as well as improvements, modifications and facilities at the existing south Delta pump. They will also investigate placing addition fish facilities through out the Delta in anticipation of potential restoration activities. HOTT is looking to provide recommendations to the Working Group on north Delta operations by the end of May, and south and central Delta by the end of June. A presentation to the Steering Committee by mid summer is anticipated.

- Karen Scarborough requested that each Working Group and Technical Team plan to provide interim updates to the Steering Committee in May and June.

Gary Bobker asked for more input on the Goals and Objectives from each of the Working Groups and Technical Teams. Need more specific objectives and benchmarks as conservation measures are developed. Karen Scarborough indicated the consultant will keep the process moving in the working groups and technical teams in developing more targeted goals and objectives.

Karen Scarborough reported that Conveyance WG has asked consultant to create scenarios. North Delta will be presented at the end of May and south Delta in June.

By mid to late summer conservation strategies from the Conveyance WG, Habitat Restoration TT and Other Stressors WG will be presented to the Steering Committee.

Karen Scarborough requested that pieces of these strategies be brought to Steering Committee sooner than mid to late summer.

Gary Bobker concerned that flow issues haven't been addressed appropriately, especially related to habitat. Karen Scarborough responded that this issue will be taken to the Management Team.

Public Outreach Working Group

Karla Nemeth reporting. They are working on materials for upcoming Scoping Meetings. These should be available for viewing next week. They are basically FYI and not prepared for detailed feedback. They will keep focused on EIR/EIS. The notices have sent out.

Will Stelle reported that Karla has been doing a “yeoman’s service” through out this process. He also asked about the status of the Purpose and Needs document in case it is needed for scoping meetings. Ted Meyers responded that NMFS is meeting today to discuss.

Habitat Restoration Program Technical Team

Dave Harlow reporting: Habitat Restoration TT is working to stay ahead of HOTT needs and provide information. Working with prior compiled information on stressors to further define the stressors. Working to better define biological goals and objectives.

Other Stressors and Water Quality Working Groups

Brent Walthall reporting: Other Stressors WG had their second meeting. Next meeting will include presentations on invasive species and temperature next week.

Analytical Tools Technical Team

Campbell Ingram reporting: Will Stelle distributed document outlining working protocols for working groups and technical teams (see associated handouts). There are important descriptions of the expectations of transparency in approaches to analyses. These are a work in progress.

Implementing Structure/Governance Working Group

Richard Roos-Collins reporting: First meeting today after Steering Committee. They have draft deliverable schedule/flow chart (see associated documents/handouts). Richard Roos-Collins, Roger Patterson and Marc Ebbin met with John Kirlin to discuss coordination with the Delta Vision Task Force and the Governance Working Group on the BDCP process.

Jason Peltier and Richard Roos-Collins working in an ad hoc coordination between BDCP and State Water Resources Control Board in response to Board questions. They have come to an agreement on two principles:

- 1) Implementation of BDCP will require State Water Resources Control Board approvals as well as approvals from other agencies
- 2) It is desirable that the BDCP EIR/EIS will serve as the basis for approvals by the SWRCB and those other agencies

Additional concerns include how SWRCB can meaningfully contribute to the BDCP process and schedule. The ad hoc group will provide a draft letter to the SWRCB to the next Steering Committee.

Greg Thomas raised concerns that permitting proceedings by SWRCB will take too long.

Science Liaisons

Marc Ebbin reporting: Science liaisons will convene with the science facilitators next Tuesday afternoon. Primary concern will be how do we bring independent science back into BDCP. Three suggestion options: 1) ad hoc; 2) a modest convening of independent scientists; 3) complete process like the first time the scientists met.

Public Comment

None

Adjourned

Management and representatives

Karen Scarborough (Chair, The Resources Agency)
Marc Ebbin (The Resources Agency/DWR)
Will Stelle (The Resources Agency)
Cindy Darling (The Resources Agency)
Randall Neudeck (Metropolitan)
Kenny Watkins (California Farm Bureau Federation)
Tom Howard (SWRCB)
Sue Fry (USBR)
Karla Nemeth (Zone 7)
Brent Walthall (Kern County Water District)
John McCamman (DFG)
Jerry Johns (DWR)
Frank Michny (USBR)
Richard Roos-Collins (American Rivers/Natural Heritage Institute)
Kim Delfino (Defenders of Wildlife)
Anthony Saracino (The Nature Conservancy)
Campbell Ingram (The Nature Conservancy)
Ann Hayden (Environmental Defense)
Gary Bobker (The Bay Institute)
Leo Winternitz (California Bay-Delta Authority)
Russ Strach (NMFS)
Susan Moore (USFWS)
Carl Wilcox (DFG)
Ted Meyers (NOAA Fisheries)
Greg Gartrell (Contra Costa Water District)
Greg Thomas (Natural Heritage Institute)
Paul Cylinder (SAIC)
Carl Wilcox (DFG)
Laura King Moon (State Water Contractors)

By phone

Ara Azhderian (SLDMWD) (phone)
Ron Kino (Mirant)
Wayne Spencer (Conservation Biology Institute)
Jason Peltier (Westlands)
Chris Scheuring (CFBF)

Other Attendees

See sign-in sheets